

Honorable Kymberly K. Evanson

COURT'S RULINGS ON OBJECTIONS TO DESIGNATIONS OF DEPOSITION EXCERPTS (DKT. NO. 214)

Depositions of Elizabeth Warren (dated November 2, 2023) and Dr. Lucas Labine (dated January 9, 2024)

PAGE / LINE NO.	NATURE OF OBJECTION	RESPONSE	COURT'S RULING
Elizabeth Warren: 11:15–13:24, 14:9–20:5	Relevance	Her background and training are relevant as they go to her experience as a RN.	Overruled
Elizabeth Warren: 106:6–14	Speculation	The question poses a hypothetical and is not speculating.	Overruled
Elizabeth Warren: 107:10–17	Speculation; Mischaracterizes Evidence	The question is not speculative and does not mischaracterize the evidence.	Overruled
Elizabeth Warren: 107:18–22	Speculation; Mischaracterizes Evidence	The question and answer are not speculative and do not mischaracterize the evidence.	Overruled
Elizabeth Warren: 111:7–13	Speculation; Mischaracterizes Evidence	The question and answer are not speculative and do not mischaracterize the evidence. RN Warren was looking at a document describing the event.i l	Overruled
Elizabeth Warren: 120:13–19	Speculation	The question and answer are not speculative. RN Warren was looking at a log with the times of the encounters.	Overruled
Elizabeth Warren: 120:25–121:4	Speculation; Mischaracterizes Evidence	The question and answer are not speculative and do not mischaracterize the evidence. RN Warren was looking at a log with the times of the encounters.	Overruled
Elizabeth Warren: 124:13–17	Mischaracterizes Evidence	The question and answer do not mischaracterize the evidence. RN Warren was looking at a log of relevant events.	Overruled
Elizabeth Warren: 125:11–14	Lack of Personal Knowledge	She answered based on the log she was reviewing.	Overruled

PAGE / LINE NO.	NATURE OF OBJECTION	RESPONSE	COURT'S RULING
Elizabeth Warren: 126:18-19	Lack of Personal Knowledge	She answered based on her personal knowledge.	Overruled
Elizabeth Warren: 126:21-24	Lack of Personal Knowledge	She answered based on the medical record she was reviewing.	Overruled
Elizabeth Warren: 126:25-127:16	Lack of Personal Knowledge	She answered based on the medical record she was reviewing.	Overruled
Lucas Labine: 42:23-43:8	Asked and Answered	The question differed from the prior questions.	Overruled